IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO : 12572 of 2004

Between:

1 Mohd. Asif S/o Abbu Sham,
rep by their power of Attorney Holder and 1st Petitioner
Mohd. Asif S/o Abbu Sham
R/o Kashibugga, Warangal

2 Mohd. Ghouse S/o Abbu Sham
rep by their power of Attorney Holder and 1st Petitioner
Mohd. Asif S/o Abbu Sham
R/o Kashibugga, Warangal

3 Mohd. Yousuf S/o Abbu Sham
rep by their power of Attorney Holder and 1st Petitioner
Mohd. Asif S/o Abbu Sham
R/o Kashibugga, Warangal

4 Mohd. Haji S/o Abbu Sham
rep by their power of Attorney Holder and 1st Petitioner
Mohd. Asif S/o Abbu Sham
R/o Kashibugga, Warangal

5 Mohd Akram S/o Abbu Sham
rep by their power of Attorney Holder and 1st Petitioner
Mohd. Asif S/o Abbu Sham
R/o Kashibugga, Warangal

6 Md. Chand S/o Abbu Sham
rep by their power of Attorney Holder and 1st Petitioner
Mohd. Asif S/o Abbu Sham
R/o Kashibugga, Warangal

7 Md. Shaik Hussain S/o Umar
rep by their power of Attorney Holder and 1st Petitioner
Mohd. Asif S/o Abbu Sham
R/o Kashibugga, Warangal

8 Md. Shamshoddin S/o Umar
rep by their power of Attorney Holder and 1st Petitioner
Mohd. Asif S/o Abbu Sham
R/o Kashibugga, Warangal

..... PETITIONERS

AND

1 The Special Tribunal (Under Andhra Pradesh Land Grabbing Prohibition) Act, 1982,) (District Judge) Warangal District, Warangal

2 Pulamati Venkateswarlu S/o Seetharamaiah
R/o H. NO. 8-4-10, Sri Krishna Colony, Warangal

3 Pulamati Vijaya Kumar S/o Seetharamaiah
R/o H. NO. 8-4-10, Sri Krishna Colony, Warangal

4 Pulamati Krishna Murthy S/o Seetharamaiah
R/o H. NO. 8-4-10, Sri Krishna Colony, Warangal

5 Jatling Venkatpathi SA S/o Ramkrishna SA
R/o H. No. 12-4-19, Papaiahpet Chaman, Warangal

6 Jatling Shankar SA S/o Ramkrishna SA
R/o H. No. 12-4-19, Papaiahpet Chaman, Warangal

7 Jatling Veeran SA S/o Ramkrishna SA
R/o H. No. 12-4-20, Papaiahpet Chaman, Warangal

8 Jatling Sarveswar SA S/o Ramkrishna SA
R/o H. No. 12-4-20, Papaiahpet Chaman, Warangal

9 Vajinepalli Krishna Murthy S/o Padmaiah
R/o H. NO. 12-2-153, Pinavari Street, Warangal

10 Vajinepally Jayapradha W/o Krishnamurthy
R/o H. NO. 12-2-153, Pinavari Street, Warangal

11 Abdul Omar S/o Shaik Omer,
R/o H. No. 16-3-595, Sagarsekunta, Warangal

12 Sri Sai Estates and Contractors, H. NO. 6-3-25, Pinjerla Street, Vijaya Talkies Road, Hanamkonda,

rep by Managing Partners Polam Keshava Reddy
S/o Jaganandhan Reddy and Manchala Aruna, W/o
Bhagawan

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly in the nature of Writ of Certiorari calling for the records relating to the connected with the order dated 14-06-2004 passed by the Special Tribunal Under Land Grabbing (Prohibition) Act Principal District Court Warangal in IA No. 141/2003 in LGC No. 1/2004 and to quash the same and to issue a consequential direction to the Respondents 2 to 12 not to make any further constructions in the petitioner schedule lands in LGC 1/2004 on the file of the Special Tribunal Under Land Grabbing (Prohibition) Act (Principal District Court) Warangal pending disposal of the Land Grabbing Case.

Counsel for the Petitioners : MR.K.ANANDA RAO

Counsel for the Respondent No.1 : G.P. for Assignments.

Counsel for the respondents 2 to 12 : None appeared.

The Court at the admission stage made the following:

ORAL ORDER:

(Per Hon'ble The Chief Justice)

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1. Order dismissing application in I.A.No.141 of 2003 for interim relief pending

a petition in LGC.No.1 of 2004 is under challenge in this writ petition. The Chairman, Special Tribunal under Land Grabbing (Prohibition) Act-cum-District Judge, Warangal, held that there was any prima facie case nor there was any balance of convenience to grant temporary injunction as prayed for during pendency of the main petition and moreover it was not a case where petitioners would not be entitled to claim benefits in the event of main petition being allowed.

2. With such discretionary orders, there will be hardly any ground to interfere in exercise of writ jurisdiction. Accordingly writ petition is dismissed. No costs.

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DEVINDER GUPTA. C.J.,

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C.V. RAMULU. J.,

Dated: 05.08.2004.

VRK.

To

1. The Chairman, Special Tribunal under Andhra Pradesh Land Grabbing (Prohibition) Act, 1982 (District Judge) Warangal.

2. Two CCs to G.P. for Assignments, High Court Buildings, Hyderabad (OUT)

3. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE C.V. RAMULU.

W.P.NO. 12572 OF 2004.

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 05.08.2004.